

JAN 07 2005

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PTO/SB/21 (08-04)

Approved for use through 07/31/2005. OMB 0651-0031

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/789,111	
	Filing Date	01/29/2004	
	First Named Inventor	FLETCHER, Christopher L.	
	Art Unit	2819	
	Examiner Name	JEAN PIERRE, Peguy	
Total Number of Pages in This Submission	8	Attorney Docket Number	03W089

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavit/Declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):  VIA FACSIMILE
Remarks Title: Low power current input delta-sigma ADC using injection FET reference Responsive to Office Action mailed 11/08/2004.		

FAXED  
01/07/05

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Raytheon Company		
Signature	<i>William C. Schubert</i>		
Printed name	William C. Schubert		
Date	2005-01-07	Reg. No.	30,102

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature	<i>William C. Schubert</i>		
Typed or printed name	William C. Schubert	Date	2005-01-07

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1460, Alexandria, VA 22313-1460. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/88/17 (12-04/2)

Approved: through 07/31/2008. OMB 0851-0032  
U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL  
For FY 2005**☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 120.00**Complete if Known**

Application Number	10/789,111
Filing Date	01/29/2004
First Named Inventor	FLETCHER, Christopher L.
Examiner Name	JEAN PIERRE, Peguy
Art Unit	2819
Attorney Docket No.	03W089

**METHOD OF PAYMENT** (check all that apply)

- ☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_
- ☒ Deposit Account Deposit Account Number: 50-0618 Deposit Account Name: Raytheon Company
- For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)
- ☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
- ☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	0
Design	200	100	100	50	130	65	0
Plant	200	100	300	150	160	80	0
Reissue	300	150	500	250	600	300	0
Provisional	200	100	0	0	0	0	0

**2. EXCESS CLAIM FEES****Fee Description**

	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
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- 20 or HP =	x	=	0
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HP = highest number of total claims paid for, if greater than 20.

<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
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- 3 or HP =	x	=	0
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HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(O) and 37 CFR 1.16(s).

<b>Total Sheets</b>	<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
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- 100 =	/ 50 =	(round up to a whole number) x	=	
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**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Extension of time to reply within one month Office action did 12/8/04

**Fees Paid (\$)**

0

120.00

**SIGNATURE BY**

Signature

William C. Schubert

Registration No.

(Attorney/Agent) 30,102

Telephone 8055622108

Name (Print/Type)

William C. Schubert

Date 2005-01-07

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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JAN 07 2005

**BEST AVAILABLE COPY****PATENT**

Attorney Docket No. 03W089

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
FLETCHER, Christopher L. *et al.*  
Application No. 10/769,111  
  
Date filed: 01/29/2004  
For:  
*LOW POWER CURRENT INPUT  
DELTA-SIGMA ADC USING INJECTION FET  
REFERENCE*

: Date: January 7, 2005  
:  
: Group Art Unit: 2819  
:  
: Examiner: JEAN PIERRE, Peguy  
:  
: Confirmation No. 7195  
:

Commissioner for Patents  
P. O. Box 1450  
Alexandria VA 22313

**VIA FACSIMILE**

**RESPONSE TO RESTRICTION REQUIREMENT WITH TRAVERSE  
WITH PETITION FOR EXTENSION OF TIME**

Sir:

In response to the Office Communication dated November 8, 2004, requiring restriction to either Invention I, claims 1-13, or Invention II, claims 14-18, Applicant elects with traverse Invention I, claims 1-13.

MPEP §806.05(c) requires that there not be a restriction requirement if there is no evidence that the combination is patentable without the details of the subcombination: "where the relationship between the claims is such that the separately claimed subcombination B<sup>sp</sup> constitutes the essential distinguishing feature of the combination AB<sup>sp</sup> as claimed, the

Application No. 10/769,111  
Response to Restriction Requirement  
January 7, 2005

Page 2

inventions are not distinct and a requirement for restriction must not be made, even though the subcombination has separate utility."

As stated by the Examiner the subcombination does have separate utility. However, the Examiner's statement that "the combination as claimed does not require the particulars of the subcombination as claimed because integrating circuit can be implemented for any electronic device/converter" is not understood as the combination of claim 1, for example, requires the particular components therein set forth which would perform the integration. This is not the type of case set forth in §806.05(c) in which the details of the claims of the subcombination are omitted from the combination claim. On the contrary, the combination claims have the relevant details of the subcombination.

It is submitted that the requirement for restriction set forth in the Office action dated November 8, 2004, is therefore improper and Applicant requests that the restriction be withdrawn.

Respectfully Submitted,



William C. Schubert  
Registration No. 30,102  
Tele: 805-562-2108

**CERTIFICATE OF MAILING OR TRANSMISSION****EBS FAX 703-872-9306**

I hereby certify that this correspondence and the documents attached therein are being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P O Box 1450, Alexandria VA 22313 or being facsimile transmitted to the USPTO, on the date written:

William C. Schubert

(Depositor's name)

 : (Signature)

January 7, 2005

: (Date)